

VOLUME 2 AIR OPERATOR AND AIR AGENCY CERTIFICATION AND APPLICATION PROCESS

CHAPTER 11 CERTIFICATION OF A PART 145 REPAIR STATION

Section 2 Safety Assurance System: Phase 2—Formal Application (SAS Business Process Modules 1 and 2)

2-1198 RECEIPT OF FORMAL APPLICATION. After receiving the formal application package, the Federal Aviation Administration (FAA) will inform the applicant that it will take 15 business-days to review the submission.

2-1199 INITIAL REVIEW OF THE APPLICATION PACKAGE. Upon receipt of a formal application, the certification team must initially review it and make a determination of its acceptability within 15 business-days. The certification project manager (CPM) will provide written notification of acceptance or rejection of the formal application. The CPM shall upload this notification with the applicant in the Safety Assurance System (SAS) database. The initial review serves two purposes:

A. Purpose One. The initial review verifies the items required for formal application have been submitted. The required items to pass Gate II are as follows:

1) The application must contain FAA Form 8310-3, Application for Repair Station Certificate and/or Rating, which includes the information described in Volume 2, Chapter 11, Section 1, Paragraph 2-1188, Preapplication Meeting.

2) The application must contain the required formal attachments described in Volume 2, Chapter 11, Section 1, Paragraph 2-1190, Formal Application Attachments. These requirements are also listed in the certification job aids (see Volume 2, Chapter 11, Section 1, Figure 2-87, Schedule of Events Job Aid for Part 145 Repair Stations).

NOTE: If any of the items required for the formal application are missing or are incomplete, the entire formal application must be rejected. It should be returned to the applicant with a letter stating the reasons for its rejection following completion of the initial review. See Figure 2-88, Sample Rejection of Formal Application—Missing or Incomplete Documents, for an example of a rejection letter.

B. Purpose Two. The initial review also permits a determination of whether the submitted material represents a feasible proposal and is of sufficient quality to allow for a productive formal application meeting and to proceed with the certification process. The following paragraphs are provided as direction and guidance for this initial review.

2-1200 PREAPPLICATION CONTENTS FOR REVIEW.

A. Updated Preapplication Statement of Intent (PASI). The CPM must review FAA Form 8400-6, Preapplication Statement of Intent, for any changes in scope from the initial submission.

B. FAA Form 8310-3 Attachment. The CPM must review all Preapplication Checklist (PAC) items for completeness and accuracy, and also review block 1e repair station management qualification.

C. A List of Each Article by Type, Make, or Model, as Appropriate. The CPM must review the list of requested articles to the ratings for which the application is made, and for compliance with the applicant's other documents.

D. Description of Housing and Facility Attachments. The CPM must review these documents to determine that they include the types of information described in Volume 2, Chapter 11, Section 1, paragraph 2-1190.

E. Training Compliance Letter. The CPM must review the training compliance letter for hazardous materials (hazmat), as required by Title 14 of the Code of Federal Regulations (14 CFR) part 145, § 145.53(c) and (d).

F. Schedule of Events (SOE) Attachment. The SOE is a list of each major item, activity, program, aircraft, and/or facility acquisition. It also sets milestones for accomplishment or submission of the listed items. The SOE, when accepted, becomes the basis for agreement between the applicant and the certification team to accomplish the certification project. When reviewing the SOE, the certification team must carefully consider the feasibility of the proposed schedule with respect to the following criteria:

1) Logic of Sequence. Many activities and events listed in the schedule must occur before other activities and events. The team should use the certification job aid as a tool to ensure that the applicant's proposed SOE is logical in terms of event sequence.

2) Timeliness of Events. The SOE must be reasonable, and must realistically provide sufficient time for the certification team to review the applicant's various documents, manuals, and proposals.

3) Completeness of Events. The number and kinds of submissions made by the applicant for evaluation and acceptance or approval varies according to the complexity of the proposed operation. Specific manuals and other documents that are required for a particular type of applicant are annotated in the SOE and the certification job aid. The CPM should use the job aid to ensure that all required manuals and documents have been included in the SOE.

4) Inspector or Other Resource Availability. Availability and capability of personnel resources is another element of concern when determining whether a SOE can be met. The CPM must determine, for example, that appropriately qualified inspectors are available for the conduct of extensive manual reviews consistent with the proposed SOE.

G. Company Manual System Attachments. The CPM must give the manual's (i.e., Repair Station Manual (RSM)) attachments a cursory review. First, the CPM must determine that the type of information described in Volume 2, Chapter 11, Section 1, paragraph 2-1190 has been submitted. Second, the CPM must determine that the overall content and scope of the manual's material indicates that the applicant is proceeding in an appropriate manner and in compliance with the regulations. These completed manual submissions provide

early indications of the quality of the applicant's manual program. An indepth review and evaluation, and the acceptance, approval, or rejection of the manual will be accomplished in the Design Assessment (DA) phase.

H. Company Training Program Attachments. The CPM must review the training program attachments to determine that each of the segments listed in Volume 6, Chapter 9, Section 14 are complied with.

I. Initial Evaluation of Completed Element Design Data Collection Tools (ED DCT). ED DCTs and Custom DCTs (also known as "self-audited" C DCTs) are used to ensure an applicant's or certificate holder's operating systems are designed to comply with the intent of regulations and system safety. The Flight Standards Service uses many of these DCTs during the initial certification process to collect information from part 145 applicants. Until the Office of Management and Budget (OMB) grants approval, Flight Standards has determined that we cannot mandate the use of the ED DCTs and C DCTs by the applicant or certificate holder to collect information. If the applicant chooses not to use the "self-audited" DCTs, then the CPM will need to conduct their own evaluation of the applicant's programs and complete the FAA DCTs. The CPM will verify that all applicable ED DCTs or a C DCT was completed. The CPM will then select a sample of ED DCTs for review. These ED DCTs or C DCTs will be reviewed for obvious omissions or significant discrepancies within the applicant's system. The ED DCTs selected should be a sampling of the programs that require approval or are related to operations specifications (OpSpecs).

J. Supervisory Personnel Attachments. Supervisory qualifications must be reviewed by the CPM. For more information, see Volume 2, Chapter 11, Section 1, paragraph 2-1190.

K. Management Organizational Chart. The CPM must review the organizational chart for accuracy.

L. Submission of Proposed OpSpecs. The CPM must review the proposed OpSpecs for accuracy.

M. List of Contract Maintenance Functions. The CPM must review the contract maintenance functions for accuracy, as required by § 145.217.

N. Drug and Alcohol Program (if applicable). The CPM must review the drug and alcohol program for applicability using the guidance in Volume 3, Chapter 18, Section 10, OpSpec/MSpec/LOA A449, Antidrug and Alcohol Misuse Prevention Program.

O. Exemption Requests (if applicable). The CPM must review any exemption requests.

P. Capability List (CL) (if applicable). The CPM must review the applicant's CL for accuracy.

Q. Applications for a Repairman Certification. The CPM must review FAA Form 8610-2, Airman Certificate and/or Rating Application, and letter of recommendation for the applicant's repairman requests.

2-1201 INITIAL DETERMINATION OF FORMAL APPLICATION ACCEPTABILITY.

A. Prior to Formal Application Meeting. The decision whether or not to accept the formal application before the formal application meeting, and then to proceed with the certification process by scheduling a meeting with the applicant, must be tempered with good judgment and a reasonably flexible attitude. Results of informal meetings, reviews, and observations of the applicant's capabilities during the preapplication phase should supplement the decision-making process. Other factors such as working relationships and understanding established during the preapplication phase should also be considered. However, the decision must be based primarily on the results of the initial review of the formal application and attachments. The decision to proceed is predicated on receipt of all required documents in the formal application and an initial acceptance of the contents.

B. Scheduling the Formal Application Meeting. If the CPM and the certification team decide to proceed with the certification process, the CPM must contact the applicant and schedule the formal application meeting. The applicant must be informed that attendance of key management personnel is required.

C. During the Formal Application Meeting. Normally, if an applicant has been thoroughly briefed and has acquired a good understanding of the requirements during the preapplication phase, the formal application should be of sufficient quality that any discrepancies, omissions, and/or open questions can be resolved during the formal application meeting. For example, if the chronology of the SOE needs to be adjusted for logic of sequence, timeliness, or to accommodate inspector resource requirements, such adjustments can normally be accomplished during this meeting. Often minor, and occasionally some significant, discrepancies or omissions in the manual material and/or training program can be resolved during the formal application meeting. Questions about management qualifications can often be answered during this meeting.

2-1202 THE FORMAL APPLICATION MEETING.

A. Purpose. The purpose of this meeting is to resolve any questions on the part of either party and to establish a common resolve for future proceedings of the application process. The CPM is responsible for conducting the formal application meeting. Except for unanticipated circumstances, all members of the certification team must be present. Normally, the CPM should open the meeting with the applicant, all of the applicant's key management personnel, and the certification team present.

B. Topics. The CPM should encourage the applicant and the applicant's key management personnel to present any questions they may have concerning the certification process. The CPM and Certification Team Members (CTM) should provide candid answers and discuss freely all aspects of the certification process. The detailed SOE should be discussed, and any needed revisions should be negotiated prior to proceeding. Before concluding the formal application meeting, the CPM must make certain that the applicant clearly understands the following:

1) Notification of acceptance of the formal application package does not in any way constitute acceptance or approval of the separate attachments. The attachments will be reviewed further, and additional corrective actions will be required, following which the applicant will be expected to take such corrective action. Acceptance or approval of each attachment will be indicated separately at a later date during the certification process.

2) If the applicant is unable to meet the SOE, the FAA will still need equivalent amounts of time, as agreed upon during the meeting, to make the necessary reviews and inspections. Consequently, the proposed startup date could be delayed.

2-1203 DETERMINATION OF FORMAL APPLICATION ACCEPTABILITY. The CPM will provide either a letter of acceptance or a letter of rejection to the applicant within 15 business-days of completing the formal application meeting. The CPM will inform the applicant in writing or in the SAS External Portal. See Figure 2-89, Sample Acceptance of Formal Application, for an example of an acceptance letter, or Figure 2-88.

NOTE: The applicant must maintain an active project. The responsible Flight Standards office must evaluate an inactive period that exceeds 90 calendar-days. Inactivity of greater than 90 calendar-days may be cause to terminate the certification process, or you may terminate the process when it is clear that continuing the process will not result in approval or acceptance (i.e., multiple failures of the applicant's submissions).

Figure 2-88. Sample Rejection of Formal Application—Missing or Incomplete Documents

[FAA Letterhead]

[Date]

Mr. John J. Jones
President, TMS Repair Center
601 Sky Harbor Blvd.
Little Rock, AR 72202

Dear Mr. Jones:

This office has reviewed your formal application for an Air Agency Certificate, dated _____. We find it necessary to return your application because of deficiencies in the following area:

The training program required by 14 CFR part 145, § 145.163 was not included in your formal application.

We are returning your letter of application with all attachments. It will be necessary to submit a new formal application when you have corrected all discrepancies noted above and any other omissions that exist. Please contact us if we can be of any further assistance in clarifying the minimum requirements for your formal application.

Sincerely,

William Board
Certification Project Manager

Figure 2-89. Sample Acceptance of Formal Application

[FAA Letterhead]

[Date]

Mr. John J. Jones
President, TMS Repair Center
601 Sky Harbor Blvd.
Little Rock, AR 72202

Dear Mr. Jones:

Your formal application has been reviewed and found acceptable. Acceptance of the application does not convey specific approval of the attachments. Specific approvals or acceptance of the attachments will be appropriately conveyed after a detailed evaluation by the Federal Aviation Administration (FAA) certification team.

We look forward to working with your personnel in the continuation of the certification process.

Sincerely,

William Board
Certification Project Manager

RESERVED. Paragraphs 2-1204 through 2-1215.